

1941

Department of Revenue

OFFICE Board of Revenue

STATION Madras

His No. 2798

Dated 13/4

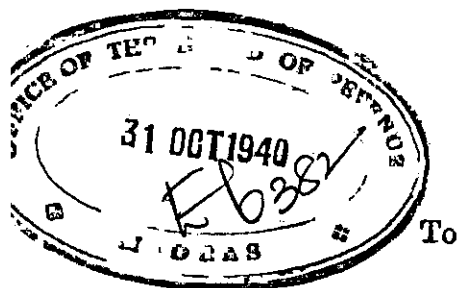
Pages in the file 124

SUBJECT.

Alienation. Land-Rev. S. Kanara
Muzantale taluk ~~Madras~~ Karoti taluk
S. no. 65. Demonstration Farm, in the
S. Kanara. Resumption & Settlement.

In reply, please quote
number, date and
short title.

Received _____ Registered _____



From (Name) M. V. Subrahmanyam, Esq., .A., I.C.S.,

(Designation) Collector of South Kanara.

Post Box _____, (STATION) _____ Mangalore.

Telegraphic Address _____

To

The Secretary to the Board,

Land Revenue and Irrigation, Madras.

Ref.B3- No.1879-40., dated 26th October 1940.

Sir,

ENCLOSURES _____

SPARE COPIES _____

Alienation - Land and Revenue - Mangalore Taluk ---

Maroli village - S.No. 65 (4.66 acres) - Demonstration Farm

District Board, South Kanara - Breach of conditions - Resumption.

S.No. 65, measuring 4.66 acres of Maroli village, --- Mangalore Taluk was originally alienated in favour of the District Board, South Kanara, for use as the site of an --- Agricultural School in B.P.No. 551, Mis., dated 29-4-1919. Instead of utilising the land for the purpose of an Agricultural School; the District Board got the land planted with about 225 cocoanut plants and got a tenant's house --- also constructed. The ^{district} Board subsequently relinquished --- the land and got it realienated for a demonstration farm --- and a tenant's house and the realienation was sanctioned in B.P.Mis.No. 1594, dated 7-6-1929. The tenant's house --- is in ruins and the cocoanut palms are in a neglected condition. The District Board was asked to state what --- exactly it proposes to do to keep the garden as a model --- demonstration plat and why the building has been left in disrepairs. The reply received from the President, --- District Board, shows that the District Board does not seem to be doing anything else except leasing out the usufructs. In fact, the President, District Board, on 5-8-1929, --- addressed the Collector as to whether the plot could be ---

1.1.1594 (W)
1.6.29

1.7.20.22 (W)

leased out for a period of 12 years to one Mr. E.A.Aranha on an annual rental of Rs. 50/-. He was then told that the leasing proposed was not permissible. As regards the neglected condition of the watcher's shed, the District Board said that the trees on the plot have reached such a stage that it is not essential for the Board to maintain a watcher's shed close to it to accommodate a watcher or tenant to look after the trees and requested that the condition regarding the up-keep of the tenant's house might be waived as a watcher is not necessary and that the dismantling of the building may be permitted. The Assistant Director of Agriculture who was consulted in the matter says that the coconut plot does not serve the purpose for which it was originally planted. I, therefore, recommend that the land with the tenant's house and the other improvements may be resumed to Government. The tenant's shed and the trees, etc existed before the land was realienated to the District Board in 1929. Under Conditions VII and VIII imposed in the case no compensation is payable in respect of the tenant's shed. Condition VII imposed in the case is according to the old rules at page 99 of the B.S.O., Volume I. In the new rules issued in Correction Slip No. 89, distinct provision is made for resumption in the case of infringement and it is specifically provided for there that there will be no compensation in respect of improvements. In the old rules, there is no such specific provision but the intention must be taken to be that. So in respect of the coconut trees standing on the land also, no compensation will be payable to the District Board.

One E. A. Aranha offers to take up the garden for a lease of 25 years on an annual rent of Rs. 50/- undertaking to effect all necessary improvements at his own cost including the sinking of new wells and to surrender possession of the garden at the end of the term without claiming any compensation for the improvements to be effected by him. I am not in favour of the lease to the applicant as per terms offered by him. I recommend that the lease may be sold in auction.

[Signature]
For Collector.

R 1584

(13)

29

R 551

69

DESPATCHED
13 DEC 1940

Alienation - Land - Res. (S. Kanara)

Mangalore taluk, Morali Vge - S. no. 65

Demonstration farm - Dr. Board

South Kanara - Infingement of conditions. Resumption.

p 1 eg. E 6382/40

9

11/12

12/12

Refce. E 6382-40. 1A) 9.12/40

The collr. is requested to report

(1) the value of the ^{standing on the land and} trees ~~and improvements~~ ^{the improvements made to} ~~the land;~~

he
by
9/11

(2) for how long the Dr. Board has been

leasing the usufruct of the trees & why
realised by it
the amount ^{it} should not be recovered
from the Dr. Board

(3) whether action may not be

taken under conditions (VIII) and (x)

of the conditions of alienation ^{for} regarding

the removal of the building by the
chance.

18

18/7.11

14/12

14/12

9/12

11/12

To the Collr. of S. Kanara: by 11/12



Ref: C.E. 1879/40.

South Kanara Collector's Office,
Mangalore, 12th May 1941.

M. V. Subrahmanyam, Esq., I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Land Revenue & Irrigation,

M a d r a s.

Sir,

Alienation - land - Revenue (South Kanara) - Mangalore
Taluk - Maroli Village - S.No.65 - Demonstration Farm -
District Board - South Kanara - Resumption.

p3CF

Ref: Board's Ref.E.6382/40-1, dated 9.12.1940.

The value of the trees standing on the land, inclusive of the value of the well and the mud wall enclosures, has been estimated at Rs.809-8-0.

2. The District Board has been leasing the usufruct of the trees since 1935-36. The income derived by the District Board therefrom is noted in the margin. The amount

1935-36	Rs.6/-	of Rs.10/- shown as income for ---
1936-37	Rs.6/-	
1937-38	Rs.6/-	1939-40 and 1940-41 represents the
1938-39	Rs.6/-	
1939-40	Rs.10/-	sale-proceeds of the usufruct of the
1940-41	Rs.10/-	trees obtained during auction. The

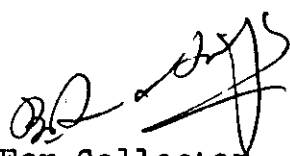
Collector's sanction was obtained for leasing the usufruct of the farm only for three years from 1936-1937. Point 2 of the Board's reference under report raises the question why the amount realised by the District Board should not be recovered from it. It does not seem proper to recover the amount from the District Board for the following reasons:-

(a) The leasing of the usufruct of cocoanut trees for 3 years from 1936-37 was approved by the District Collector and no stipulation was then made that the sale proceeds should go to Government.

(b) If at all, assessment could have been levied:
but still such a stipulation was not made while sanctioning
the lease.

(c) The figures under receipts and expenditure received
from the District Board showed that there were no net receipts.

As I have suggested the taking over of the building without
compensation, no action in regard to its removal need be taken.


For Collector
Knd
13.5.41 13/5/41

6382 17/6

25/6 28/6 14/6

14/6

14/6

Ex. Rm. to S.K. Coll. 28/6
Dated 29.7.41 29/7

Ex Rm to Colln 20.8.41 18/8
16/8

Coury S. Kanara 17/6

F.W.S

Alienation - land & Rev (S.K.)
Mangalore (ahuk. Marshi Vge
S.M. 65 - Demonstration farm
Dr. 630 - S. Kanara - Remuneration

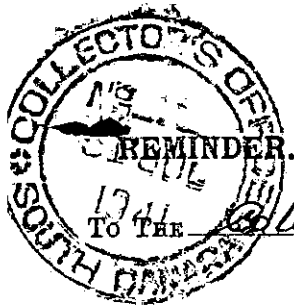
E 2313 From the C.S.K. of S.K
Roc B3-1876/40 9/12.5.41

Refce E 6382/40-2 14.6.41

The Court is requested to
give notice to the ^{Dr. Board} ~~adviser~~ to
show cause why the land
with the tenant's house and other
improvements shd not be
resumed without payment of
compensation for violation of
the conditions of alienation
and to submit ^{to} ~~his~~ ~~representations~~
representation, if any, with
his remarks

14/6

18/14-6



6382

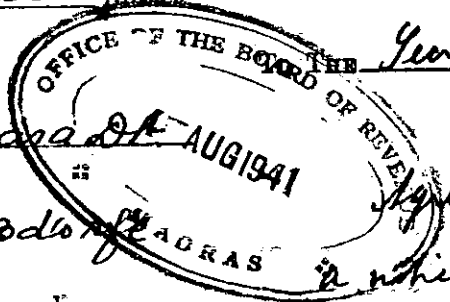
Revenue DEPARTMENT.

1528

C.F. 98.

Land Revenue Branch

REPLY.

Secretary to the Board of the
L. R. Enquiry, Madras

S. Kanara

have the honour to invite

I am directed to invite
in site

attention to

Admission

E No. 6382/40, dated 14.6.41 and

to request that the reply to it may be expedited.

request that this reminder may be returned at once with
information as to—

- (1) the stage at which the matter now is,
- (2) the date by which a reply may be expected, and
- (3) the circumstances which have caused the delay.

Office of the Board of Revenue

Station Madras.

Signature

Designation

Dated 29.7.41.

SUBJECT.

Senior Superintendent.

Alienation - Land - Revenue - (S.R.)
Mangalore Taluk - Maroli Village
S.No. 65 - Demonstration farms -
District Board - S. Kanara -
Receipts & m.

Accordingly to the Board's order
a notice was issued to the District
Board on 21.6.41. As no reply was
received a reminder has been sent
on 29.7.41. I shall submit my
report soon after receipt of the reply
from the District Board.

For Collector
31.7.41

31.7.41

R.O.C.No.B3-1876-40.

South Kanara Collector's Office,
Mangalore, 7th September 1941.

From

M. V. Subrahmanyam, Esq., I.C.S.,
Collector of South Kanara.



The Secretary to the Board,
Land Revenue and Irrigation,
M a d r a s.

Sir,

cur
13/9
Alienation - Land and revenue - (South Kanara) - Mangalore Taluk - Maroli village - S.No. 65 - Demonstration farm --- District Board, South Kanara - resumption.

Board's Ref.No. E-6382-40-2, dated 14-6-1941. *13/9*

I enclose the copy of letter R.C.No.14231-C3-40, dated 30-8-1941 received from the President, District Board, South Kanara and the copy of Resolution No. 77, dated 20-8-1941 of the Meeting of the Members of the Standing Committee of the District Board in response to the notice issued to the District Board in accordance with the Board's order cited above. The District Board obviously wants to retain the main benefit and make this token surrender of the useless bit while the main object of the alienation remains unfulfilled. The proposal of the District Board is unacceptable.

11/2 *Phial*
For Collector.

13/9
Copy of letter R.C.No. 14231-C3-40, dated 30-8-1941 from the President, District Board, South Kanara to the Collector of South Kanara.

Alienation - Land and Revenue - Mangalore Taluk - Maroli village - S.No. 65 - Coconut demonstration farm - Breach of conditions - resolution furnished.

Your R.O.C.No.B3-1879-40, dated 21-6-1941.

As the coconut trees have sufficiently grown up it is not necessary for this Board to maintain a watcher's shed close to the demonstration farm. Hence the watcher's shed was not --

kept in good repairs. Furthermore, the annual income derived by the Board is too poor to justify the maintenance of the shed. A copy of the Standing Committee Resolution No. 77, dated 20-8-41 is enclosed.

2. I request you to condone the breach of conditions of alienation with regard to the upkeep of the tenant's shed and resume the plot 10 cents in extent covered by the shed with the building thereon.

Extract from the Proceedings of the Meeting of the Members of the Standing Committee of the District Board under Section 28(1) dated 20-8-1941

xxxxxx

77. Read letter Ref.C.No.B3-1879-40, dated 21-6-1941 of the -- Collector of South Kanara, requesting to inform him of the decision of the Board with regard to the resumption of the land S.No. 65 of Maroli village used for the coconut demonstration plots -- with improvements on account of the breach of conditions of alienation.

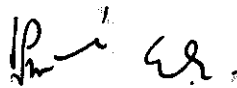
Read also Standing Committee Resolution No. 105/5-7-1941 -- ordering the paper to be referred to the District Board Engineer, South Kanara for remarks.

Read also endorsement N.Dis.9700-41, dated 16-8-1941 of the District Board Engineer, South Kanara, forwarding the remarks of the ^{F.} S.L. Section Officer, Mangalore North to the effect that the -- plot 10 cents in extent occupied by the tenant's house and outside the farm may be resumed to Government as it is not required for the upkeep of the coconut farm.

Resolution:- The watcher's shed was not repaired as the shed -- itself was considered unnecessary. The Collector will be requested to condone the breach and resume the plot on which the -- tenant's shed is constructed.

Signed/- A. Lakshminarayana Rao,
Vice-President, District Board-
in-charge.

(True Copies)

2/2 
For Collector.

g B B.

menahon. Land - Reel (S. Kanara)

Mangalore taluk - Maroli village.

S. No. 65 - Demonstration farm.

Dr. Board S Kanara - Resumption
sanctioned.

X/15/11

13/11

[Coll of S Kanara Ref B 3.1829.40

of 26-10-40

179-10/CF E 4452/41

or

plcf

Res. No 2798 of 13-10-41

in the circumstances

reported by the Colr, the Board sanctions the

resumption of S. No. 65 of

Maroli Vgl, Mangalore taluk

measuring 4 ac 66 cents, with
~~which~~ the tenants shed & improve

ments thereon) which was

sanctioned in favour of the Dr.

Board S Kanara, for use as the
site of a

demonstration farm - an.

tenants shed in Ref No

1594 of 7-6-29. No Complaint
needs be paid for the improvements effected
for the above. It also approves

7/10/41 the Colr's proposal in
first cited above

para 2 of his letter to sell the

lease of the land in auction

9
me
13/11

p 20 (W)

1/10/41

p 2 cf

To The Coll of S Kanara

11/10

13/10/41

10/10/41

As per
Memo B 2e para 2
2/11/40

note file.

Alienation - Land - Rev. (S. Kanara)

Mangalore taluk - Marathi Vge - S. no. 65 - Demonstration

Farm - Dt. Board S. Kanara - Infringement of

conditions - Resumption

E 6382-40

[Edict of S. Kanara - Rev B 3 - 1879.40 d 26.10.40]

The resumption of the land may be sanctioned. It however appears better to call for further information on the following points viz (1) the value of the trees & improvements now on the land & (2) for how long the Dt. Board has been leasing the usufructs of the trees & why the amount should not be recovered from the Dt. Board along with back assessment. For and

After orders are passed on the resumption of the land, the cllr may be requested to take steps to lease it in auction and to submit a copy of the lease deed for the obtaining the approval of the Govt.

16/11
17/11
18/11

Call for with other govt

document & documents 2

2nd copy of the lease deed

obtaining order of M. & revenue

25/11

draft submitted

18/7.11.40

18/11/40

27/11/40

E 2213 From the Collr of S. Kanara. Rce.
1879/40 of 12-5-41

M 56 RF

ASMR

The Collr's letter cited above is
in reply to the Board's Refce of 9-12-40

p. 3 CF

In No. M. 1594 of 7.6.29 the Board
sanctioned the reclamation of the plot
of land measuring 4.66 acres in S. No. 65 of
Maroli Vge, Mangalore taluk for use as
the site of a demonstration farm and a tenants'
house.

p 20 CF of
(W)

The Collr reports that the tenants'
house is in ruins and the coconut
palms in neglected condition. ^{The plot}
is not being used as a demonstration farm. ^{for veg.} In regard
to the neglected state of the tenants' shed,

the Dt. Board says that it is no longer
neccy to maintain the shed close to the
farm as the trees are grown up and that
it may be permitted to dismantle it. It
also requested permission to allow it to
leave the coconut trees. This the Collr

refused to do. The Collr recommends
that the land with the tenants' house and the
other improvements may be resumed by the

Govt without payment of compensation
Since it is no longer used as a demonstration farm
the lease amount realised.

by the Dt. Bd from the trees is given
in the Collr's letter of 12-5-41. The
for 34 years,
earning 1/2 from 1936-37 was permitted by
the Collr

All small

1.5 CF

Collr does not consider

582
25/9

MS-6 CF

it proper to recover the amount from
the DC Board. He also recommends
that the tenant's home may be taken over
without payment of any compensation

12/11/41

(8)

10-6-41

IV. The Coler may be asked
to issue notice to the DC Board why
action cannot be taken as at IV
and to submit with his remarks the
reply of the DC Board.

For order.

10/6/41

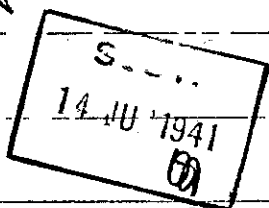
(8)

11-6-41

For 2 of

12/6

YAB



To A.S.

Draft ruled

14/6

(8) 14-6

III Ex Rv to Coler. is submitted.

8/9/41

9/9

M3
BLR.

How B in para 2
of MS-6 CF

MS-6 CF

for

Ex Rv of S. Kanara - R.C. 1876-40 9-7-9-41

The letter cited above is in reply to
the Board's reference of 14-6-40.

2. The At. Board says that the
water's shed is not neeq. as the trees have grown

up and no longer require a watcher. It also says that the extent covered by the watchers shed (10 cents) alone may be resumed.

It is not willing to have the entire extent with the trees etc. resumed. The Collr. reports that the proposal of the ^{St Board} ~~Collr.~~ is unacceptable. ~~insert pt~~

83 The land was alienated in B.P. 1894
1894 No. 1594 of 1894 for a demonstration farm

pp 20-23 of (W)

and a tenant's house. The land is not

used as demonstration farm now. The

pp 1-2 of

St Bd is leasing the trees. The purpose

of alienation is not being fulfilled.

The Bd may accept the Collr's recommendation and direct the resumption

pp 1-2 of

of the entire extent into the tenant's

house & the other improvements without

payment of compensation ~~for the trees~~ ^{St Bd} ~~for the trees~~ ^{for the trees}

In 1894 In the O.N. 985 of 1894 the

St Bd fear was expressed that the St Bd

would merely treat the place as

a source of profit. The then Director

p 4 N. 2 (41)

of Agriculture opined that the then

would demonstrate how to plant &

grow coconuts under the dry system.

The ~~then~~ Director now says that

the coconut plot does not serve its

original purpose. The St Bd seems to

consider that the trees have grown up

& nothing need be done except to leave

R p. 441 - Recreational of the

see line extend without compensation was
beam proper. - for order.

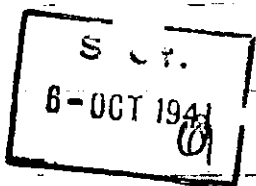
San p2 n.2

as 9.41

R yes.

M3

57041



M3

AS LA

Thru B

AS 1/3
Thru B
18-2-1/2

draft subm. X

The Collr's proposal in para 2 of
(p2 et)

vid. line 4 * 20/40
18-2-1/2

8/10/41

his letter may also be appd.

~~draft subm.~~ for order

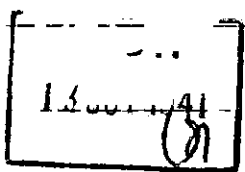
9/10/41

San X above

10.8.41

Amir

M3



B.P. No.
Dated

Mb 2798
13. W. 41

Single Number
~~Two Members~~
~~Full Board~~

Assistant Secretary			
	J.S.	Secy.	M
A.A. A.D.S & L.R.			3
L.R. Irrign.			2
Sop. Rev.			1

- Open file
seen by
2. Final draft
seen by
3. Now circu-
lated to
4. Initials

Passed for record

Secretary
Joint Secretary.

A.S. (L.R.) ✓ (8) 21. 6
A.S. (Irrign)
A.S. (Sop. Rev.)
A.D.S. & L.R.
I.A.

Note:- Entries not required to be scored out.